

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 7299

Petition of Vermont Transco, LLC, for authority )  
to condemn easement rights in property interests )  
of Kennedy Bros., Inc., located in Vergennes, )  
Vermont, for the purpose of constructing the )  
115 kV transmission line portion of the so-called )  
Northwest Reliability Project )

Order entered: 11/30/2007

**ORDER CLOSING DOCKET**

**REPORT**

On January 29, 2007, Vermont Transco, LLC, filed a petition to condemn easement rights across land belonging to Kennedy Bros., Inc., and located in Vergennes, Vermont. On June 1, 2007, I convened a prehearing conference in the matter at which a schedule was established.

On November 7, 2007, Vermont Transco, LLC, filed a Notice of Withdrawal of its petition due to a negotiated resolution of the issues between the parties. Since proceedings had already commenced in this docket, I will treat the Notice as a motion for dismissal pursuant to V.R.C.P. 41 (a)(2). Because I assume that any prejudice to the respondent has been compensated in the negotiated resolution, I conclude that the petition for condemnation may be dismissed and this docket closed.

This decision is not adverse to the interest of any party, so it need not be circulated to the parties pursuant to 3 V.S.A. § 811. This report is made to the Public Service Board pursuant to 30 V.S.A. § 8.

Dated at Montpelier, Vermont, this 30<sup>th</sup> day of November, 2007.

s/John P. Bentley  
John P. Bentley, Esq.  
Hearing Officer

ORDER

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Public Service Board of the State of Vermont that:

1. The Report of the Hearing Officer is accepted.
2. The motion to withdraw the petition to condemn is granted.
3. This docket shall be closed.

Dated at Montpelier, Vermont, this 30<sup>th</sup> day of November 2007.

<u>s/James Volz</u>	)	
	)	PUBLIC SERVICE
	)	
<u>s/David C. Coen</u>	)	BOARD
	)	
	)	OF VERMONT
<u>s/John D. Burke</u>	)	

OFFICE OF THE CLERK

FILED: November 30, 2007

ATTEST: s/Susan M. Hudson

Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)*

*Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.*